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But assuming the worst to be true, and that these and perhaps other important cases have been overlooked, Mr. Bishop, while occasionally omitting an authority, is far more accurate, useful, and trustworthy than most writers who point with pride to the fact that their book cites every decided case on the subject.

No law book to-day ought to omit references to the National Series of Reporters. Without discussing their intrinsic value, its wide use among lawyers renders such a course proper. It is a serious defect in this volume that there seems not to be a reference to that series; even the Federal Reporter is neglected.

J. H. B.

ADOPTION AND AMENDMENT OF CONSTITUTIONS IN EUROPE AND AMERICA.

By Charles Borgeaud. Translated by Charles D. Hazen, Professor of History in Smith College, with an Introduction by John M. Vincent, Associate of the Johns Hopkins University. New York and London: Macmillan & Co. 1895. pp. xxi, 353. Price, \$2.00.

It is a good thing thus to present to our people a translation of Dr. Borgeaud's accurate and valuable treatise,—*ouvrage couronné par la faculté de droit de Paris, Prix Rossi, 1892*. The Introduction states that "the co-operation of the author has been freely given in bringing up to date the changes which have taken place since 1892." "The Origin, Growth, and Character of Written Constitutions" is considered in forty-three pages. "Royal Charters and Constitutional Compacts: I. The German Group; II. The Latin-Scandinavian Group," in eighty-two pages. "Democratic Constitutions: I. United States of America; II. France; III. Switzerland," in two hundred pages. And there is interesting matter in a "Preface" and a "Conclusion."

Dr. Borgeaud's constitutional writings rank among the most careful, the best-informed, and the most instructive for American readers that are to be found anywhere. This translation seems to be generally good. It is odd, however, to see the famous "Council of Revision" of the first New York Constitution filtering back into English as the "Committee on Amendments," through Dr. Borgeaud's accurate enough "*Comité de révision*." An American translator should not have repeated Dr. Borgeaud's slip in citing the case of Woods's Appeal from 75 Penn. State *Records*. And when Dr. Borgeaud says that "*la jurisprudence des faits*" has vindicated a certain opinion, "the course of events" seems but a faint equivalent for the striking phrase of the original.

SELECT PLEAS IN THE COURT OF ADMIRALTY. Vol. I. Being Vol. VI. of the Publications of the Selden Society. Edited by Reginald G. Marsden. London: Bernard Quaritch. 1894.

After a delay of more than two years the publications of the Selden Society are continued, and the series will, we are assured, within a few months be brought up to date. The present volume, while less interesting perhaps to American lawyers than the preceding publications, or those immediately to follow, nevertheless contains much of value. An elaborate introduction discusses satisfactorily the origin of the Admiral's jurisdiction. It appears to have arisen out of the inability of the common law to deal with matters which happened beyond the knowledge of "the country." That jurors could not usually pass on facts happening out-

side their county was held for centuries after the Admiral's court had been established. Piracy, for instance, was anciently tried by the common law; but in 1429, according to Mr. Marsden, the jurisdiction of the common law fell into desuetude. The reason given by Lord Coke for this fact was that just indicated,—that no jury could be found which knew of the piracy (Co. Lit. 391*a*; 13 Co. 51). The Admiral, sitting without a jury, could find the truth of facts wherever they happened. In view of this reason for the establishment of a court of Admiralty, it is curious to notice that in a few instances a jury was summoned into the court (pp. 35, 89, 122).

The series of records of the court does not begin till 1524, though its establishment was as early as the middle of the 14th century. There were at first several courts,—there being an Admiral of the West, an Admiral of the North, etc. Two records from the Court of Admiralty of the West (of the years 1390 and 1404) are here printed, having been removed by *Certiorari* into Chancery, and there preserved. Both records deal with alleged unlawful acts of the officers of the court. The other records here printed fall between the years 1527 and 1545.

As was natural, the jurisdiction of the Admiral was not at first sharply defined, and proceedings in Admiralty for contempt in suing in other courts, and writs of prohibition to the Admiral, were common pastime. The bulk of business was like that at present. Cases involving the law of shipping were much the most frequent; and there were many prosecutions for piracy, and disputes as to the title to vessels. Torts also were commonly dealt with; not exclusively what we should now regard as maritime torts. One is surprised, for instance, to find between 1527 and 1541 two actions of slander,—jurisdiction apparently being taken because the words were spoken on shipboard.

Several interesting documents are printed,—bills of lading, charter-parties, bills of sale, and bottomry bonds, or bills obligatory. An analogy between the bottomry bond and the policy of insurance is suggested by the case of *The George Duffield* (p. 106). Money having been lent on bottomry, the vessel was cast away at St. Michael's, not having completed the voyage. Recovery was nevertheless claimed on the bond upon two grounds,—that the vessel was unseaworthy when she sailed, and that the master had abandoned her rather than repair and complete the voyage.

The editor mentions a libel upon a policy of insurance in the year 1550,—a very early example of such a suit. It is a pity that the printing of the records is not brought down far enough to include the case.

An excellent and artistic reproduction, in copper, of the seal of the Court of Admiralty accompanies the volume.

THE ELEMENTS OF JURISPRUDENCE. By Thomas Erskine Holland. D.C.L. Seventh Edition. Oxford: Clarendon Press, 1895. 8vo. pp. xx, 402.

Mr. Holland's book, first published in 1882, has never gone four years without a new edition, and as a treatise on Jurisprudence deserves the popularity which the new editions show that it has enjoyed. Eminently readable, never digressing, as Austin does, to wrestle with giants which do not lie in its path, it furnishes a compact view of the essentials of law from an Anglo-Saxon standpoint. It is never to be forgotten, however,